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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,232	07/30/2001	Daniel Watkins	A4-4265/1C/1C 1496.00002c	4958
24319	7590	01/12/2006	EXAMINER	
LSI LOGIC CORPORATION 1621 BARBER LANE MS: D-106 MILPITAS, CA 95035			BROWN, RUEBEN M	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/918,232	Applicant(s) WATKINS, DANIEL	
	Examiner Reuben M. Brown	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 1 is objected to because of the following informalities: line 5 of the instant claim refers to a 'driver server', which should be changed to a 'drive server'. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 & 5-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggers, (U.S. Pat. # 4,920,432), in view of Ellis, (USPGPUB 2005/0028208).

Considering claim 1, the claimed apparatus comprising;

‘drive server’, is met by the player controller network 3 of Eggers, which is a local video distribution system, such that the player controller network 3 operates the players 11 in response to instructions sent from the system supervisor computer 1, see col. 3, lines 5-64; col. 5, lines 24-26 & col. 6, lines 55-68.

The amended claimed ‘control server separate from the driver server’, is met by the system supervisor computer 1, which controls the storage and retrieval system of Eggers, (Fig. 1; col. 3, lines 13-34; col. 3, lines 55-64 & col. 4, lines 10-15).

As for the further claimed, “configured to present a particular one of the one or more data streams received from the drive server on a particular one of a plurality of busses as determined by a particular one of a plurality of request signals’, Eggers teaches that the local video distribution system supports a plurality of cables 17 for distribution of requested video programming and a LAN 5 over a coax or fiber lines, see col. 3, lines 65-68 thru col. 4, lines 1-15. Eggers goes on to teach the local area network configurations are at least chosen from several standard options, see col. 4, lines 16-34.

As for the further claimed feature of, ‘compressed data streams’, Eggers does not discuss such a detail. Nevertheless, Ellis teaches a local video distribution system that supports the use of

Art Unit: 2611

compressed video, i.e., MPEG, Para [0084] & [0195]-[0196]. Ellis teaches that a server 80, may be located in a customer premise, see Fog. 31. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Eggers with the feature of compressed video streams as taught by Ellis at least for the known improvement of conserving bandwidth, thereby enabling more information to be transmitted over the system.

‘one or more decoder devices connected to the busses, such that the decoder devices are in a separate room from the drive server and control server, such that the decoder devices are configured to decode at least one or more compressed data streams and generate at least one of a decoded audio and video signal, is met by the operation of the STB 28 in Ellis.

Considering claim 2, Ellis teaches the use of a remote control, Para [0081].

Considering claim 3, 13 & 18, the claimed feature reads on the user in Ellis selecting a particular program that is decoded from MPEG to be displayed on the TV.

Considering claims 5-7, 10-11, 16-17, Ellis teaches MPEG bit-streams and using DVD devices for storage & retrieval of data, see Para [0081], [0084] & [0091].

Considering claims 8, 15 & 19, Ellis teaches the use IEEE 1394, USB serial bus and several bus methods for local distribution of video, Para [0080], [0086] & [0090].

Art Unit: 2611

Considering claim 9, see Ellis, Para [0066].

Considering claims 12 & 14, the elements of an apparatus comprising a drive server, or a method for distributing video, comprises elements that correspond with subject matter mentioned above in the rejection of claim 1 and is likewise treated.

Considering claim 20, see Ellis, Fig. 3 & 32, Para [0080]-[0083] & [0090], which reads on the claimed subject matter.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eggers & Ellis as applied to claim 3 above, and further in view of Wonfor, (U.S. Pat # 6,381,747).

Considering claim 4, Eggers does not discuss the claimed feature of a diagnostic mode. Nevertheless, Wonfor teaches placing a STB in diagnostic mode, col. 10, lines 5-10. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the combination of Eggers & Ellis, with the feature of placing a STB in diagnostic mode, at least for the purpose of implementing various features, as taught by Wonfor, col. 10, lines 5-15.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Zou Local distribution of TV programming in MPEG format.

B) Budow Hotel distribution of programming.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2611

Any response to this action should be mailed to:

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or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown


HAITRAN
PRIMARY EXAMINER